

**REMARKS**

Claims 1, 2 and 4-10 are pending in this application. By this Amendment, claim 1 is amended and claim 3 is canceled without prejudice to or disclaimer of the subject matter disclosed therein. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1, 2, 5-7 and 9 under 35 U.S.C. §102(b) over Matsushita (JP 2000-121210 A); and claims 3, 4, 8 and 9 under 35 U.S.C. §103(a) over Matsushita in view of McCoy (U.S. Patent No. 6,752,646). The rejections are respectfully traversed.

In particular, none of the applied references, alone or in combination, disclose or suggest a cabinet for a refrigeration compressor delimiting an inner space designed to receive electrical and electronic components that includes at least one support for the electrical and electronic components and a cap, wherein the cap has seals on at least part of its edge in contact with the side wall of the compressor, as recited in independent claim 1.

The Office Action acknowledges that Matsushita does not disclose a cap as claimed (Office Action, page 3, lines 6-7). Moreover, McCoy teaches a compressor plug cap assembly with a compressor plug and a fence member, the compressor plug having a first plug side face and an opposing second plug side face, the first plug side face configured for operative association with a compressor (Abstract). Moreover, the Office Action indicates that McCoy teaches the use of "a convex cap 20" (Office Action, page 3, lines 6-8).

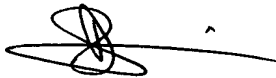
However, element 20 in McCoy is a compressor plug cap assembly that does not include seals on part of its edge, as recited in independent claim 1. Thus, because McCoy does not disclose or suggest any seals in the cap, McCoy cannot ensure protection when the compressor is, for example, washed or exposed to the weather. A seal in the cap avoids penetration from fluids and dust which could potentially damage the components inside the cap. Moreover, the presence of one or more seals may create at least a partial tightness which prevents gas, fluid

and thermal exchanges with the outside atmosphere, and provides the advantages of an effective tightness that helps cooling the electrical and electronic components and an effective tightness that keeps the temperature in the inner space of the cabinet sufficiently high by using the warmth emitted by the electrical or electronic components, which prevents unwanted electrical contacts that may be due to dust inside of the compressor. Accordingly, because McCoy does not disclose or suggest a seal on the side of the compressor, McCoy fails to cure deficiencies of Matsushita in disclosing or rendering obvious the features of independent claim 1. Thus, independent claim 1, and its dependent claims, are patentable over a combination of the applied references. Accordingly, withdrawal of the rejections of the claims under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2 and 4-10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time  
Request for Continued Examination

Date: December 15, 2005

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